IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION No: 24701 of 2004

Between:

Smt. V. Venkata Lakshumma, W/o Late Damodar,
R/o Moragudi Village, Jammalamadugu Mandal, Cuddapah District.

..... PETITIONER

AND

1 The Joint Collector, Cuddapah.
2. The Revenue Divisional Officer, Jammalamadugu, Cuddapah District.
3 The Mandal Revenue Officer, Jammalamadugu Revenue Mandal, Jammalamadugu, Cuddapah District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in passing order Ref.No. B/1528/2004, dt. 16-12-2004 suspending the F.P. Shop Dealership held by the petitioner of 5,6 and 10 wards of Moragudi Village, Jammalamadugu Mandal, Cuddapah District as illegal, arbitrary, unjust and against the principles of Natural Justice and consequently directing the respondents not to give effect to the proceedings in Ref.No. B/1528/2004, dt. 16-12-2004 of the 2nd respondent, pending enquiry against the petitioner.

Counsel for the Petitioner: MR.NAGARAJU NAGURU

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the admission stage made the following:

ORDER:

The authorisation of the petitioner was suspended by the first respondent through proceedings, dated 16-12-2004, on the basis of certain allegations. The petitioner challenges the same in this writ petition.

Heard learned counsel for the petitioner and learned Government Pleader for Civil Supplies.

The petitioner had an effective remedy by way of an appeal under Clause 20 of the Andhra Pradesh Public Distribution System Control Order, 2001, before the Joint Collector. The appellate authority is conferred with the power to pass interim orders also. Hence, this Court is not inclined to admit the writ petition filed against the order of suspension.

Learned counsel for the petitioner states that no alternative arrangements have been made in place of the petitioner and that the petitioner may be continued till the appellate authority takes up the application that may be filed by the petitioner.

Hence, the writ petition is disposed of, leaving it open to the petitioner to prefer an appeal before the appellate authority. In case no alternative arrangements have been made in place of the petitioner, status quo obtaining as on today shall be maintained, till the appellate authority passes orders in the application for stay, provided it is filed within 10 days from today. There shall be no order as to costs.

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29-12-2004

Note: Issue C.C. by tomorrow.

(B/o)

Jsu

To

1 The Joint Collector, Cuddapah.
2. The Revenue Divisional Officer, Jammalamadugu, Cuddapah District.
3 The Mandal Revenue Officer, Jammalamadugu Revenue Mandal, Jammalamadugu, Cuddapah District.

4 2CCs to the G.P. for Civil Supplies, High Court Buildings, Hyderabad (OUT).

5 2CD copies.